

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**CIVIL MINUTES - GENERAL**

Case No.	<u>5:23-cv-01233-RGK-MRW</u>	Date	<u>June 29, 2023</u>
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Title	<u><b>DESTINY LEON v. WALMART, INC., et al</b></u>
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Present: The Honorable	R. GARY KLAUSNER, U.S. DISTRICT JUDGE
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Joseph Remigio (Not Present)	Not Reported
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Deputy Clerk	Court Reporter / Recorder
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Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:
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Not Present	Not Present
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**Proceedings:** **(IN CHAMBERS) Order to Show Cause re Why This Action Should Not be Remanded for Lack of Subject Matter Jurisdiction**

On May 9, 2023, Destiny Leon (“Plaintiff”) filed suit against Walmart, Inc and Wal-Mart Assoc., Inc. (“Defendants”), alleging state statutory and common law claims arising out of allegations related to employment discrimination. On June 23, 2023, Defendants removed the action on the ground of diversity jurisdiction. In its notice, Defendants calculate \$34,704 in current lost wages, \$25,546 in future lost wages, for a total of \$60,250. Defendants then summarily states that once other damages and costs are accounted for, the amount in controversy far surpasses the \$75,000 threshold. (Notice of Removal, p.4, lines 1-12.) However, with \$34,704 as the starting point, the Court finds Defendants’ basis for removal far too speculative. The Court hereby orders Defendants to show cause in writing why this action should not be remanded to state court for lack of subject matter jurisdiction. An adequate response must include facts that establish by a preponderance of the evidence that the amount in controversy exceeds \$75,000. Defendants’ response is limited to 5 pages in length, and due no later than **July 7, 2023**.

**IT IS SO ORDERED.**

JRE/vc